

James E. Cecchi
Lindsey H. Taylor
CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO
5 Becker Farm Road
Roseland, NJ 07068
(973) 994-1700

Liaison Counsel for Plaintiffs

Salvatore J. Graziano
William C. Fredericks
David Wales
Adam H. Wierzbowski
Kristin A. Meister
Abe Alexander
BERNSTEIN LITOWITZ BERGER
& GROSSMANN LLP
1285 Avenue of the Americas
New York, NY 10019
(212) 554-1400

Matthew A. Kupillas
Roland W. Riggs
MILBERG LLP
One Pennsylvania Plaza
New York, NY 10119
(212) 594-5300

David A.P. Brower
Brian Kerr
Benjamin J. Hinerfeld
BROWER PIVEN
A PROFESSIONAL CORPORATION
488 Madison Avenue, 8th Floor
New York, NY 10022
(212) 501-9000

Jules Brody
Mark Levine
Patrick Slyne
STULL, STULL & BRODY
6 East 45th Street, 5th Floor
New York, NY 10017
(212) 687-7230

Co-Lead Counsel for Plaintiffs

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC., SECURITIES,
DERIVATIVE & "ERISA" LITIGATION

THIS DOCUMENT RELATES TO: THE
CONSOLIDATED SECURITIES ACTION

MDL No. 1658 (SRC)
Civil Action No. 05-02367(SRC)(CLW)

NOTICE OF MOTION

To: All persons on ECF service list

COUNSEL:

PLEASE TAKE NOTICE that on February 4, 2013 at 9:00 a.m., or as soon thereafter as counsel may be heard, the undersigned counsel for Plaintiffs in the above captioned matters shall move before the Hon. Cathy L. Waldor, United States Magistrate Judge, at the Martin Luther King Federal Building, 50 Walnut Street, Newark, New Jersey to enter an Order issuing Letters of Request pursuant to Fed. R. Civ. P. Rule 28(b).

The undersigned intends to rely upon the attached Statement in Lieu of Brief and exhibits thereto pursuant to Local Civil Rule 5.3. A proposed form of Order is also included.

The undersigned hereby requests oral argument in the event that timely opposition papers are filed.

**CARELLA, BYRNE, CECCHI,
OLSTEIN, BRODY & AGNELLO, PC**
Liaison Counsel for Plaintiffs

By: /s/ James E. Cecchi
JAMES E. CECCHI

Dated: January 11, 2013

Salvatore J. Graziano
William C. Fredericks
David Wales
**BERNSTEIN LITOWITZ BERGER &
GROSSMANN LLP**
1285 Avenue of the Americas
New York, N.Y. 10019
(212) 554-1400

Co-Lead Counsel for Plaintiffs